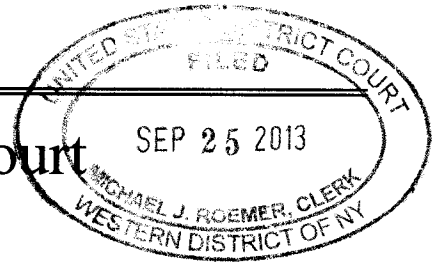


AO 91 (Rev. 02/09) Criminal Complaint

United States District Court

for the
Western District of New York



United States of America)

v.)

MATTHEW KING)

Defendant

Case No. 13-MJ- 621

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of July 23, 2012 in the county of Monroe in the Western District of New York, the defendant violated 18 U.S.C. § 2422(b), an offense described as follows:

the defendant knowingly used the internet, a facility or means of interstate commerce, in an attempt to persuade, induce, or entice CHILD, an individual he knew to be under the age of eighteen, to engage in sexual activity, in violation of Title 18 U.S.C. Section 2422(b).

This criminal complaint is based on these facts:

X Continued on the attached sheet.

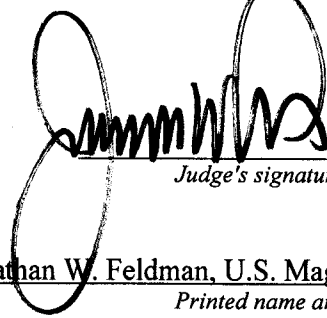
Please see attached affidavit


Complainant's signature

Edward J. Williams, S/A HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 9/25/13


Judge's signature

City and State: Rochester, New York

Hon. Jonathan W. Feldman, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF MONROE) ss:
CITY OF ROCHESTER)

13mj621

Edward J. Williams, Special Agent (SA) with the Department of Homeland Security (DHS), having been duly sworn, states as follows:

I. INTRODUCTION

1. I am a Special Agent with Homeland Security Investigations (HSI), within the Department of Homeland Security (DHS) assigned to the office of the Special Agent in Charge, Buffalo, New York, and have been so assigned since 2009. As part of my daily duties as an HSI Special Agent, I investigate criminal violations relating to child exploitation, including violations of 18 U.S.C. § 2422(b), namely Coercion and enticement of a minor to engage in illicit sexual conduct.
2. This affidavit is based on my investigation, and on information provided to me by members of the law enforcement community. Because this affidavit is being submitted for the limited purpose of establishing probable cause to grant the petitioned warrant, I have not included each and every fact known to me concerning the investigation. Instead, I have set forth only the facts which I believe are necessary to establish probable cause to believe that MATTHEW KING has committed one or more violations of 18 U.S.C. § 2422 (b), namely Coercion and enticement of a minor to engage in illicit sexual conduct.

II. INVESTIGATION

3. In August of 2012, the New York State Police (NYSP) conducted an investigation involving sexual contact between an adult staff member at the Hillside Children's Center in Rochester, New York and a 15 year old male resident.
4. During that investigation, they identified the staff member as MATTHEW KING, date of birth xx/xx/1983. They further identified the victim to be a 15 year old boy referred to hereafter as CHILD, who was a resident at the Hillside Children's Center's Emerson Unit.
5. The investigation revealed that on multiple occasions, KING and CHILD engaged in oral sexual conduct. KING solicited CHILD to engage in this conduct in person while in or around the Hillside Children's Center.
6. On or about July 23, 2012, KING contacted CHILD over the internet using an online social networking site called "Adam4Adam". KING used this online contact to persuade, induce, or entice CHILD to engage in anal sexual conduct. Specifically, KING, using the user name "EyeLickBalls", discussed furthering his sexual relationship with CHILD and engaging in anal sexual conduct.
7. During that online contact on the Adam4Adam website, KING warned CHILD that anal intercourse was "...gonna hurt at first". He also discussed whether they should use a condom. Shortly after this online chat, KING arranged to pick up and meet CHILD in person. KING drove over and picked up CHILD, took him back to

KING'S house, and then engaged in anal sexual conduct with CHILD for the first time.

8. The Adam4Adam server is located outside the state of New York.
9. It is a criminal offense in the State of New York for a person over eighteen years of age to engage in oral or anal sexual conduct with a person less than seventeen years of age, specifically, a violation of New York State Penal Law: Section 130.40 (Criminal Sexual Act in the Third Degree).
10. Law enforcement interviewed CHILD during the course of the investigation. CHILD confirmed that the defendant contacted him online using Adam4Adam. During that contact, CHILD confirmed that KING discussed engaging in anal sex with CHILD, and that he agreed to meet with KING. CHILD also confirmed that immediately after the Adam4Adam online chat, KING drove over and picked him up. KING then drove CHILD back to KING'S house, where they engaged in anal sexual conduct for the first time.
11. During the investigation, law enforcement also interviewed KING in August of 2012. KING confirmed that he was employed at Hillside Children's Center as a Youth Care Professional since May of 2011. KING also confirmed that he was the primary staff person for CHILD. KING admitted to law enforcement that he believed CHILD to be either 14 or 15 years old, and that he had a sexual relationship with CHILD.
12. KING went on to confirm that he used a website called Adam4Adam to communicate with CHILD, including on the night that he picked CHILD up and engaged in anal sexual conduct with him for the first time. KING stated that when he did so, he was at home utilizing his computer which was connected to and accessing the internet. He admitted that he communicated online with CHILD for the purpose of meeting with CHILD to engage in sexual activity.
13. During the investigation, the NYSP obtained a state authorized search warrant for KING'S residence in Rochester, New York. During that search warrant execution, law enforcement seized numerous items of digital media from KING. Those items were transported to a secure location for the purpose of conducting forensic analysis.
14. In November of 2012, the NYSP completed the forensic analysis of the digital items seized in the search warrant referenced in paragraph 13 above. The process by which the NYSP conduct forensic examinations ensures that digital material is not modified, changed or altered. During the examination of KING'S computer, law enforcement located evidence that his computer had in fact accessed the Adam4Adm website. Further, KING'S Adam4Adam inbox showed that he was using the online username "EyeLickBalls" and showed that he had engaged in online contact with CHILD.
15. Analysts also recovered an online Adam4Adam chat between KING (under the username "EyeLickBalls") and CHILD¹. This chat is consistent with the information

¹ The chat is reproduced as it appears, including internet abbreviations and misspellings.


provided by both KING and CHILD about the specific chat that occurred online in which KING persuaded, induced, or enticed CHILD to engage in sexual conduct:

CHILD: Yes I'm Positive
EyeLickBalls: Its gonna hurt at first...
CHILD: Ok
CHILD: Thanks
EyeLickBalls: Im just warning u...
CHILD: I know and I can't wait.
EyeLickBalls: R u positive you want to? And would u want
to use the condom or without?
CHILD: I want you to wear the condom I don't need it
and yes I want it to happen.
EyeLickBalls: Ok. U wanna do anything else?
CHILD: I want to suck first then to can take over.

16. In March of 2013, HSI Buffalo took possession of the digital items and transported then to the HSI Buffalo Forensic lab where they were placed in secure evidence storage.

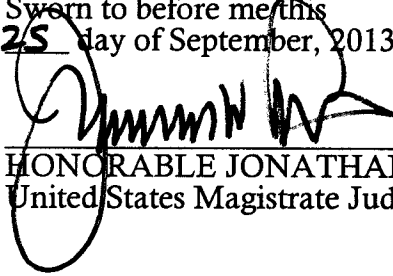
III. CONCLUSION

Wherefore, I respectfully request that this Court grant the annexed criminal complaint charging MATTHEW KING with a violation of 18 USC 2422(b) in that, MATTHEW KING knowingly used the internet, a facility or means of interstate commerce, in an attempt to persuade, induce, or entice CHILD, an individual he knew to be under the age of eighteen, to engage in sexual activity, that if it had occurred, is a criminal offense under the law of New York.



EDWARD J. WILLIAMS
Special Agent
Homeland Security Investigations

Sworn to before me this
25 day of September, 2013.



HONORABLE JONATHAN W. FELDMAN
United States Magistrate Judge